




Resource Engineering, Inc.  
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# Memorandum

**To:** BWCD BOARD OF DIRECTORS  
**From:** ERIC MANGEOT   
**CC:** CHRIS GEIGER  
**Date:** SEPTEMBER 3, 2020  
**File:** APPLICATION

**Applicant Name:** Omni Universal Trust – Michael G. Rosenberg, Trustee

**Type of Use:** Domestic  Commercial \_\_\_\_\_  
 Industrial \_\_\_\_\_ Agricultural \_\_\_\_\_

**Amount:** 0.3 AF 0.033 cfs 15 gpm

**Location:** Area A A-4 Area B \_\_\_\_\_ Inclusion   
 County: GARFIELD Contiguous: \_\_\_\_\_  
 BWCD Division: 6

**Mid Valley Metro District Notice Required?** Yes \_\_\_\_\_ No

**Blue Creek Water Rights Applied?** Yes \_\_\_\_\_ No

**02CW77 Umbrella Plan Water Rights Applied?** Yes  No \_\_\_\_\_ **Cost:** \$1,200

This application is to cover evaporative depletions associated with 3,000 square foot pond. Total contract depletions are 0.3 acre-feet (AF) as shown on the attached tables. The pond is proposed to be constructed on the property to the south of the existing residence (~UTM NAD83 Z13 4363350.3 N, 317478.5 E).

The property is 4.314 acres and is owned by the Omni Universal Trust in Garfield County, Colorado (Parcel No. 2391330012). The parcel is located in the SW1/4 of Section 33, Township 9 South, Range 85 West of the 6<sup>th</sup> P.M. The physical address of the property is 17665 Highway 82, Carbondale, Colorado. The property is within Division 6 of the District. A BWCD map is also attached showing the location of the property.

The source of supply for to fill the pond is two surface diversions as follows:

1. Patterson and Cummins Ditch located in the SE1/4 NW1/4 of Section 3 Township 8 South, Range 87 West, of the 6<sup>th</sup> P.M. at a point 2,377 feet from the North section line and 2,203 feet from the West section line (UTM NAD83 Z13 4362038.6 N, 319421.6 E). No direct flow rights from the District are sought for this diversion.
2. Rosenberg Pump & Pipeline (15 gpm): Located in the NW1/4 SW1/4 of Section 33 Township 7 South, Range 87 West, of the 6<sup>th</sup> P.M. at a point 1,412 feet from the South section line and 1,228 feet from the West section line (UTM NAD83 Z13 4363246.0 N, 317473.4 E)

The Applicants also have irrigation rights in the Patterson and Cummins Ditch.

Water User :	Omni Universal Trust	
Analysis Date :	September 3, 2020	
District Area:	A	
Source Series:	4	
Maximum Demand:	15	0.033
	(GPM)	(CFS)

BASALT WATER CONSERVANCY DISTRICT  
WATER REQUIREMENTS  
(acre feet)

Month	Total Demand						Consumptive Use							(14) Source of Aug/Replace
	(1) Domestic In-house	(2) Pond Evaporation	(3) Domestic Irrigation	(4) Agriculture	(5) Livestock	(6) TOTAL	(7) Domestic In-house	(8) Pond Evaporation	(9) Domestic Irrigation	(10) Agriculture	(11) Livestock	*(12) TOTAL	*(13) Depletions	
January	0.000	0.008	0.000	0.000	0.000	0.008	0.000	0.008	0.000	0.000	0.000	0.009	0.009	GNM
February	0.000	0.009	0.000	0.000	0.000	0.009	0.000	0.009	0.000	0.000	0.000	0.010	0.010	GNM
March	0.000	0.014	0.000	0.000	0.000	0.014	0.000	0.014	0.000	0.000	0.000	0.016	0.016	GNM
April	0.000	0.023	0.000	0.000	0.000	0.023	0.000	0.023	0.000	0.000	0.000	0.026	0.026	GNM
May	0.000	0.031	0.000	0.000	0.000	0.031	0.000	0.031	0.000	0.000	0.000	0.034	0.034	GNM
June	0.000	0.037	0.000	0.000	0.000	0.037	0.000	0.037	0.000	0.000	0.000	0.041	0.041	GNM
July	0.000	0.039	0.000	0.000	0.000	0.039	0.000	0.039	0.000	0.000	0.000	0.043	0.043	GNM
August	0.000	0.035	0.000	0.000	0.000	0.035	0.000	0.035	0.000	0.000	0.000	0.038	0.038	GNM
September	0.000	0.026	0.000	0.000	0.000	0.026	0.000	0.026	0.000	0.000	0.000	0.028	0.028	GNM
October	0.000	0.018	0.000	0.000	0.000	0.018	0.000	0.018	0.000	0.000	0.000	0.020	0.020	GNM
November	0.000	0.010	0.000	0.000	0.000	0.010	0.000	0.010	0.000	0.000	0.000	0.011	0.011	GNM
December	0.000	0.008	0.000	0.000	0.000	0.008	0.000	0.008	0.000	0.000	0.000	0.009	0.009	GNM
TOTALS -->	0.000	0.258	0.000	0.000	0.000	0.258	0.000	0.258	0.000	0.000	0.000	0.284	0.284	

Assumptions					
(1)	NUMBER OF RESIDENCES	0	(5)	# of Livestock @ 11 gals/day	0
	# persons/residence	3.5	(7)	% CU for Domestic/Commercial	15
	# gallons/person/day	100			
(2)	Commercial/Other Demand (af)	0.000	(9)	% Lawn Irrig. Efficiency	80
	Pond Evaporation	0.258		Consumption of Irrig. (af/ac)	0.000
(3)	Sq. Ft. of Lawn Irrigated	0	(10)	% Crop Irrig. Efficiency	80
	Lawn Application Rate (af/ac)	0.000		Consumption of Irrig. (af/ac)	0.000
(4)	Acres of Crop Irrigated	0.00	(9-10)	Elevation (feet)	6375
	Crop Application Rate (af/ac)	0.000			

**Area A-4**  
**Roaring Fork River**  
**Surface Diversions - No Delayed Depl.**

\*(12), (13) Total Includes 5% Transit Loss  
10% from Green Mtn.

**TABLE 1  
EVAPORATION CALCULATION - <6,500 ROSENBERG POND**

Month	SEO Monthly Distribution	(1) Gross Lake Evaporation		(2) Average Precipitation		(3) Effective Precipitation		(4) Net Evaporation		(5) Total Evaporation
		(feet)	(inches)	(feet)	(inches)	(feet)	(inches)	(feet)	(inches)	(acre-feet)
January	3.0%	0.11	1.35	0.07	0.84	0.00	0.00	0.11	1.35	0.008
February	3.5%	0.13	1.58	0.07	0.79	0.00	0.00	0.13	1.58	0.009
March	5.5%	0.21	2.48	0.05	0.58	0.00	0.00	0.21	2.48	0.014
April	9.0%	0.34	4.05	0.11	1.35	0.00	0.00	0.34	4.05	0.023
May	12.0%	0.45	5.40	0.09	1.02	0.00	0.00	0.45	5.40	0.031
June	14.5%	0.54	6.53	0.14	1.73	0.00	0.00	0.54	6.53	0.037
July	15.0%	0.56	6.75	0.10	1.14	0.00	0.00	0.56	6.75	0.039
August	13.5%	0.51	6.08	0.17	1.99	0.00	0.00	0.51	6.08	0.035
September	10.0%	0.38	4.50	0.16	1.96	0.00	0.00	0.38	4.50	0.026
October	7.0%	0.26	3.15	0.13	1.57	0.00	0.00	0.26	3.15	0.018
November	4.0%	0.15	1.80	0.07	0.80	0.00	0.00	0.15	1.80	0.010
December	3.0%	0.11	1.35	0.11	1.32	0.00	0.00	0.11	1.35	0.008
	<b>100.0%</b>	<b>3.75</b>	<b>45.00</b>	<b>1.26</b>	<b>15.09</b>	<b>0.00</b>	<b>0.00</b>	<b>3.75</b>	<b>45.00</b>	<b>0.258</b>

(1) = Monthly distribution of gross annual evaporation rate in accordance with SEO General Criteria.

(2) = Monthly precipitation from local weather station.

(3) = Equal to 0 per State Policy No. 2004-3.

(4) = Net Evaporation = Column (1) - Column (3)

(5) = Column (4) x Open Water Surface Area (tbd acres) x Column (4) in feet.

Surface Area =                      3,000 square feet  
    0.069 acres



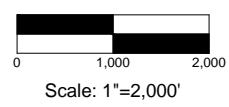
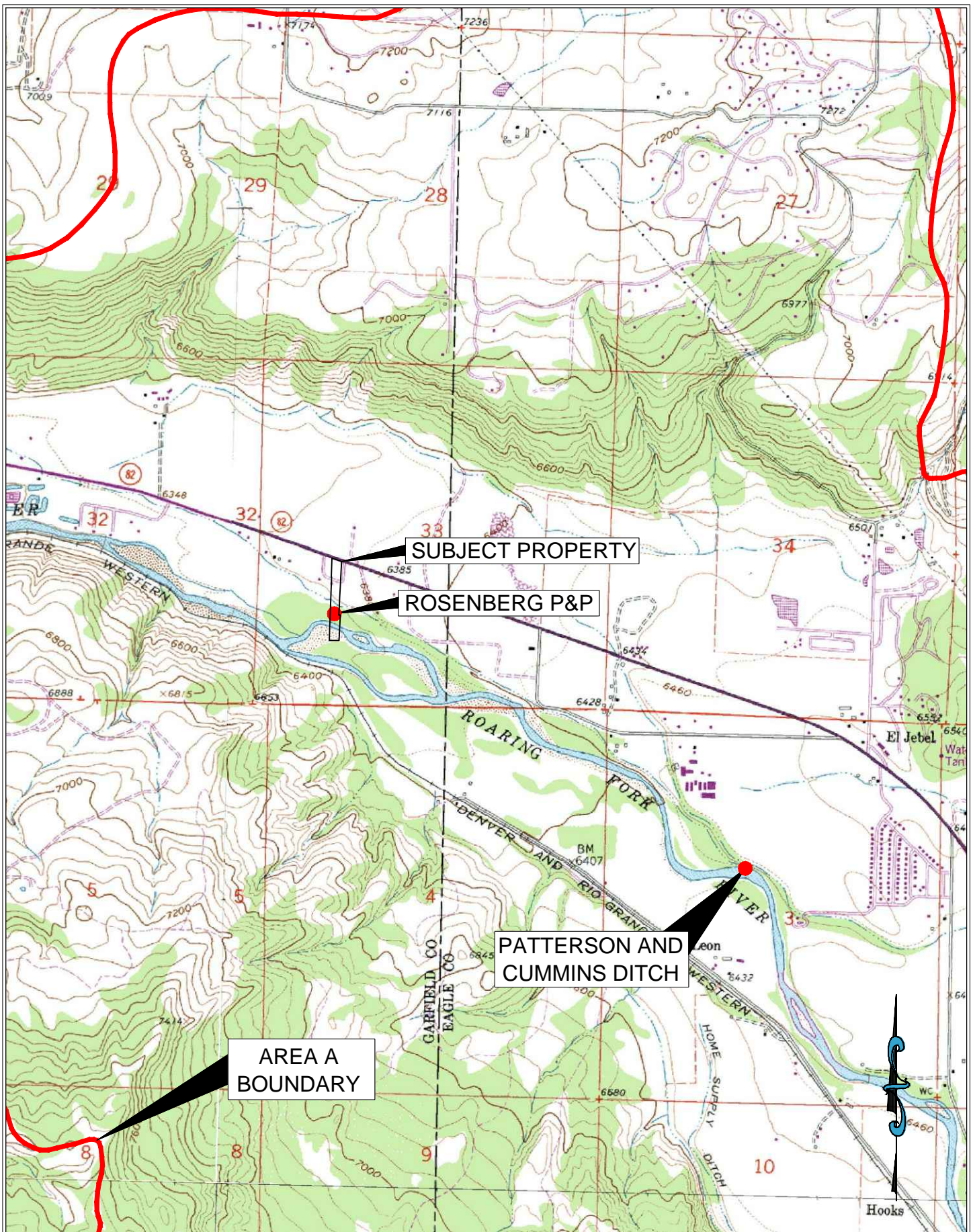


Figure 1: Omni Universal Trust

Water Allotment Contract Application  
 Basalt Water Conservancy District

**APPLICATION FOR WATER ALLOTMENT CONTRACT  
BASALT WATER CONSERVANCY DISTRICT**

1. Applicant(s) Contact Information

- a. Name: Michael G. Rosenberg, *Trustee for the  
Omni Universal Trust*
- b. Mailing Address:  
17665 Highway 82  
Carbondale, CO 81623
- c. Street Address:  
See above
- d. Telephone Numbers: 970 259 7501
- e. Email Address: mgr@lobo.net
- f. If Applicant is represented by an Attorney, please provide the Attorney's contact information, including name, address, telephone, and email: N/A
- g. Emergency Local Contact Information, including name, address, telephone, and email: Rae Lyon
- h. 14256 West 2<sup>nd</sup> Ave., Golden, CO 80401 503 381 9428  
raerosenberg@gmail.com
- i.
- j. Contact Information of property manager, caretaker, irrigator, system operator, or agent who should be provided a copy of this contract, including name, address, telephone, and email: N/A





2. Type of land use (development) proposed for water allotment contract (i.e. single family home, subdivision, gravel pit, etc.): single family home

3. Legal description and address of property on which District's water rights and/or contract water will be used (attach map and vesting deed with proof of ownership)\*:

4. Elevation of property:  X  6-7,000 ft., \_\_\_\_\_ 7-8,000 ft., \_\_\_\_\_ 8-9,000 ft.

5. Name and legal description of water supply diversion point(s):

Name of Diversion Patterson<sup>and</sup> Cummins ditch civ 12 62

Type of Diversion pond ditch (e.g., a well, spring, ditch, pipeline, etc.)

Legal Description: \_\_\_\_\_ Quarter, \_\_\_\_\_ Quarter, Section \_\_\_\_\_, Township \_\_\_\_\_ N / S, Range \_\_\_\_\_ E / W, of the 6<sup>th</sup> Principal Meridian, at a location \_\_\_\_\_ feet from the \_\_\_\_\_ Section line and \_\_\_\_\_ feet from the \_\_\_\_\_ Section line.

UTM Coordinates (NAD 83):

Northing: 4362038.6

Easting: 319421.6

\_\_\_\_\_ Zone 12 /  X  Zone 13.

*Additional point:  
Roseberg pump + pipe line  
Northing: 4363246.0 Easting: 317423.4*

If diversion point is a well, please provide the Well Permit No. \_\_\_\_\_.

Is the well operational/active? \_\_\_\_\_ Yes, \_\_\_\_\_ No

Is there currently an operating well meter? \_\_\_\_\_ Yes, \_\_\_\_\_ No

Notice: A valid well permit with operating well meter will be required under the contract.

6. Legal Water Supply: (please check one)

Applicant requests consideration by the District to be included in the District's Umbrella Plan for Augmentation decreed in Case No. 02CW77.\*

\*Note: Certain applicants may qualify to be included in the District's Umbrella Plan at the District's discretion. In order to be included in the District's Umbrella Plan, the Applicant's depletions must occur within the District's defined "Area A" and the Applicant must reimburse the District its *pro rata* share of the District's expenses in obtaining the Umbrella Plan decree. Costs of reimbursement are contingent upon location and intensity of the uses, and range from \$1,200 for contractees with less than 2 units (EQRs) in certain areas, to \$5,000 for more than 8 EQRs in Area A-3 (generally the Roaring Fork drainage above its confluence with the Fryingpan Rivers).

\_\_\_\_\_ Applicant will obtain its own plan for augmentation by applying to the Water Court, Water Division 5 within 2 years of this application. If Applicant has already applied for its own change/approval of plan for augmentation, the Water Court Case Number is: \_\_\_\_\_.

7. Proposed waste water treatment system: (please check) *N/A*

- \_\_\_\_\_ Tap to central waste water treatment facility
- \_\_\_\_\_ Septic tank/leachfield system
- \_\_\_\_\_ Evapotranspiration system
- \_\_\_\_\_ Other:

8. Proposed use of water (please check)

Domestic/Municipal (single family home(s), duplex(s), condominium(s), mobile home(s), apartment). Please complete page four of this application.

- \_\_\_\_\_ Commercial (hotel, office, warehouse, restaurant, bar, retail). Please complete page five of this application.
- \_\_\_\_\_ Industrial (gravel pit, manufacturing). Please complete page six of this application.
- \_\_\_\_\_ Agricultural (crop irrigation, stock watering). Please complete page seven of this application.

Date on which the county or other applicable governmental entities approved the land use for which you seek legal water service: \_\_\_\_\_. (Note: Copy of the Resolution of other documentation evidencing such approval should be submitted with application.)

9. What other water rights are associated with or used on the property?  
*well I share in Patterson and Cummins Ditch*
10. What other uses of water occur on the property?  
*in house use and irrigation*



Please complete the section below if you selected domestic/municipal use on Page 3,  
No. 8

DOMESTIC/MUNICIPAL WATER USES

In-House

Single family residential home(s) Number of Units: \_\_\_\_\_

Duplex(s) Number of Units: \_\_\_\_\_

Condominium(s) Number of Units: \_\_\_\_\_

Apartment(s) Number of Units/Rooms: \_\_\_\_\_

Mobile Home(s) Number of Units: \_\_\_\_\_

Irrigation (lawns, parks, open space)

Total area to be irrigated \_\_\_\_\_ Sq. Ft. or \_\_\_\_\_ Acres

Type of irrigation system (please check)

\_\_\_\_\_ Sprinkler

\_\_\_\_\_ Flood (irrigation ditch)

Domestic stock watering (cattle, horses)

Number of animals:

Period of use (months):

Other domestic/municipal uses not listed:

3000 pond 15,000 cubic ft

VERIFICATION

STATE OF COLORADO \_\_\_\_\_ )

COUNTY OF Eagle ) ss.  
\_\_\_\_\_ )

I, Michael G. Rosenberg (name of Applicant or Applicant's duly authorized representative), being first duly sworn, upon oath, depose and state as follows:

- 1) I am the Applicant or a duly authorized officer, manager, agent or attorney-in-fact for the Applicant for this Application for Water Allotment Contract;
- 2) I have read and know the contents of this Application;
- 3) The information contained herein is an accurate and complete description of the Applicant's intended use of the Basalt Water Conservancy District's water rights;
- 4) The Applicant acknowledges that the accuracy and truth of all statements in this Application are conditions of approval of this Application by the Basalt Water Conservancy District and of the Contract to be made pursuant to such approval; and
- 5) I acknowledge that this application shall be subject to the District's Water Allotment Contract as approved and issued by the District.

Date: 9/3/20

By: Michael G. Rosenberg, Trustee  
for the Basin Universal Trust

Print Name: Michael G. Rosenberg, Trustee

Title: Land owner

Subscribed and sworn before me this 03 day of September, 2020  
by Michael Rosenberg.

Witness my hand and seal.

